

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION  
CIVIL CASE NO. 1:13-cv-00329-MR-DLH**

UNITED STATES OF AMERICA, )

**Plaintiff,** )

**VS.**

**357 ASSORTED MONEY ORDERS,**  
**et al.,**

**Defendants.** )

## ORDER

**THIS MATTER** is before the Court on the Government’s “Notice of Document Received and Transmitted to the Clerk of Court” [Doc. 10], attached to which is a motion from Matt Davis seeking an “ex parte injunction” [Doc. 10-1].

By this filing, the Government presents the Court with a pleading it apparently received from one Matt Davis. [Doc. 10] Mr. Davis is not a claimant in this civil forfeiture action, and therefore his attempt to seek relief is improper here. Indeed, Mr. Davis's motion [Doc. 10-1] appears to concern a related criminal matter, United States v. Davis, et al., No. 1:13-cr-00043-MR-DLH, in which Mr. Davis and Tina Tomes, a potential named claimant in this civil action, are two of the named defendants.

The Court further notes that Davis is currently represented by counsel in the related criminal action, and the Court does not ordinarily entertain motions filed by a criminal defendant who is represented by counsel and who has not formally waived his right to counsel. See LCrR 47.1(H).

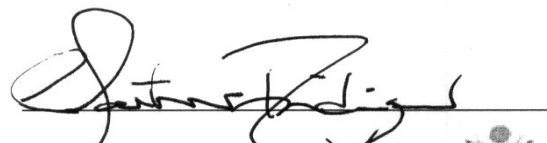
For all of these reasons, Matt Davis's *pro se* motion for an "ex parte injunction" must be denied.

**IT IS, THEREFORE, ORDERED** that Matt Davis's *pro se* motion for an "ex parte injunction" [Doc. 10-1] is **DENIED**.

**IT IS FURTHER ORDERED** that the Clerk shall provide a copy of this Order and Mr. Davis's *pro se* motion [Doc. 10-1] to attorney Richard E. Beam, Jr., Mr. Davis's counsel in the related criminal matter,

**IT IS SO ORDERED.**

Signed: April 14, 2014

  
Martin Reidinger  
United States District Judge

